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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,	)	CR No. 07-678 JSW
Plaintiff,	)	
v.	)	STIPULATION AND <del>PROPOSED</del>
GLENIO JESUA FERREIRA SILVA,	)	ORDER CONTINUING THE DATE FOR
Defendant.	)	FILING OPPOSITIONS TO
	)	DEFENDANT'S MOTIONS AND
	)	REPLIES TO OPPOSITIONS

On May 15, 2008, after a hearing on discovery motions, this Court set the following schedule for filing of substantive pretrial motions:

Motions Due:	June 30, 2008
Oppositions Due:	July 21, 2008
Replies Due:	August 4, 2008
Hearing Date:	August 21, 2008, 2:30 p.m.

*See Minute Order, ECF No. 70.* The defendant has filed three motions in accordance with this schedule - a *Motion to Dismiss the Indictment for Failure to Allege the Requisite*

STIPULATION AND ~~PROPOSED~~ ORDER CONTINUING THE DATE FOR FILING OPPOSITIONS TO DEFENDANT'S MOTIONS AND REPLIES TO OPPOSITIONS - CR 07-678 JSW

1 *Specific Intent; a Motion to Dismiss Motion to Dismiss for Selective Prosecution and*  
 2 *Pursuant to the Court's Supervisory Powers; and a Motion to Suppress Statements for*  
 3 *Violation of the Fifth Amendment.*

4 The United States will file its response to the *Motion to Dismiss the Indictment for*  
 5 *Failure to Allege the Requisite Specific Intent* today, as ordered. However, due to a  
 6 medical emergency suffered by Government counsel, the parties seek to amend the  
 7 motions schedule in the following respect which will not to change the hearing date and  
 8 still afford the court 15 days to review the papers prior to the scheduled hearing.

9 Oppositions Due:<sup>1</sup> July 23, 2008

10 Replies Due: August 6, 2008

11 Hearing Date: August 21, 2008, 2:30 p.m.

12 As grounds for this amendment, the Government advises the Court, as it has already  
 13 advised defense counsel, that it had planned to complete the three Opposition briefs on  
 14 Saturday, July 19 and Sunday, July 20, for filing on Monday, July 21. On Saturday, July  
 15 19, Government counsel suffered a fall and sustained injury to her knee which  
 16 necessitated ambulance transport to the hospital. Due to the time at the hospital and pain  
 17 medications that were administered, Government counsel was not able to complete the  
 18 briefs as intended on Sunday, July 20. Time has been excluded under the Speedy Trial

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 25 <sup>1</sup> As set forth herein, the United States will have already filed its Opposition to the *Motion*  
 26 *to Dismiss Motion to Dismiss for Selective Prosecution and Pursuant to the Court's Supervisory*  
 27 *Powers; and a Motion to Suppress Statements for Violation of the Fifth Amendment* and requests  
 28 this Order granting leave to file its Opposition late with respect to *Motion to Dismiss Motion to*  
*Dismiss for Selective Prosecution and Pursuant to the Court's Supervisory Powers and Motion*  
*to Suppress Statements for Violation of the Fifth Amendment.*

Act upon filing of the Motions and no further exclusion of time is necessary. *See* 18 U.S.C. § 3161(h)(1)(F).

SO STIPULATED:

JOSEPH P. RUSSONIELLO  
United States Attorney

DATED: July 21, 2008

/s/  
DENISE MARIE BARTON  
Assistant United States Attorney

DATED: July 21, 2008

/s/  
STEVEN GRUEL  
Attorney for GLENIO SILVA

For the foregoing reasons, motions briefing schedule is amended in the manner set forth above such that

Oppositions To Remaining

Two Motions Due: July 23, 2008

Replies Due: August 6, 2008

Hearing Date: August 21, 2008, 2:30 p.m.

SO ORDERED.

DATED: July 22, 2008

  
Honorable Jeffrey S. White  
United States District Court Judge

STIPULATION AND ~~PROPOSED~~ ORDER CONTINUING THE DATE FOR FILING OPPOSITIONS TO DEFENDANT'S MOTIONS AND REPLIES TO OPPOSITIONS - CR 07-678 JSW